

REFUSAL OF PLANNING PERMISSION

Name and address of applicant:

C/O Agent
26 New Road
Kibworth Beauchamp
Leicestershire
LE8 0LE

Name and address of agent (if any):

GWH Architects
Mr Paul Thurlby
Unit 4B Fir Tree Lane
Groby
Leicester
LE6 0FH

Part I - Particulars of application

Date of application: 2nd November 2023

Application number: 23/01096/FUL

Particulars and location of development:

Demolition of existing dwelling and erection of 4 dwellings and creation of a new access (revised scheme of 22/02147/FUL), 26 New Road, Kibworth Beauchamp, Leicestershire.

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Harborough District Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reasons:

1. The proposed development significantly harms the significance of the non-designated heritage asset and this is not outweighed by the benefits of the proposal. The application is contrary to Policy ENV9 of the Kibworth Neighbourhood Plan, Policy HC1 of the Harborough Local Plan and Section 16 of The Framework.

2. The proposed development due to its scale and massing adversely affects the visual amenities of the area, as such the proposal is contrary to Policies H2 and H6 of the Kibworth Neighbourhood Plan, Policies GD2 and GD8 of the Harborough Local Plan and Section 12 of The Framework.

Notes to Applicant

1. In accordance with the provisions of Paragraph 38 of the NPPF, Harborough District Council (HDC) takes a positive and proactive approach to development proposals and focuses on solutions.

HDC works with applicants in a positive and proactive manner by:

--Offering a pre/post-application advice service, and
--Advising applicants of any issues that may arise during the consideration of their application and, where possible, suggesting solutions.

Also

--In this case the applicant after being advised to submit a post-application enquiry following the withdrawal of the previous application did not seek pre-application advice.

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A handwritten signature in black ink, appearing to read "Simon Hamner". The signature is written in a cursive, flowing style with some loops and flourishes.

pp. Development Planning Manager

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STANDARD NOTES

1. Please quote the application number in any communication.

2. **APPEAL TO THE SECRETARY OF STATE**

If you are aggrieved by this decision to refuse permission for the proposed development than you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against our decision then you must do so **within 6 months of the date of this notice or within 12 weeks in the case of householder development or minor commercial development.**

If this decision relates to the same or substantially the same development as is already the subject of an enforcement notice, if you want to appeal against our decision on your application, then you must do so within **28 days** of the date of this notice.

If an enforcement notice is served on or after the date the decision was made relating to the same or substantially the same land and development as in your application and if you want to appeal against our decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order..

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

3. **PURCHASE NOTICES**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.